



REF

<b>REQUEST FOR CONTINUED EXAMINATION (RCE) TRANSMITTAL</b> Address to: MAIL STOP RCE Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450	<i>Application Number</i>	<b>10/812,221</b>
	<i>Filing Date</i>	<b>March 29, 2004</b>
	<i>First Named Inventor</i>	<b>Gary W. James</b>
	<i>Art Unit</i>	<b>3632</b>
	<i>Examiner</i>	<b>Amy Jo Sterling</b>
	<i>Attorney Docket No.</i>	<b>METZ 2 00009</b>

**This is a Request for Continued Examination (RCE) under 37 CFR 1.114 of the above-identified application.**

Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application.

**1. Submission required under 37 CFR 1.114**

- a. ☐ Previously submitted. If a final Office Action is outstanding, any amendments filed after the final Office Action may be considered as a submission even if this box is not checked.
  - i. ☐ Consider the arguments in the Appeal Brief or Reply Brief filed on
  - ii. ☐ Other.
- b. ☒ Enclosed
  - i. ☒ Amendment/Reply (copy of Amendment After Final mailed to the USPTO on September 18, 2006)
  - ii. ☐ Affidavit(s)/Declaration(s)
  - iii. ☐ Information Disclosure Statement, PTO-Form 1449 and references
  - iv. ☒ Other return-receipt postcard

**2. Miscellaneous**

- a. ☐ Suspension of action on the above-identified application is requested under 37 CFR 1.103(c) for a period of \_\_\_\_\_ months. (Period of suspension shall not exceed 3 months; Fee under 37 CFR 1.17(i) required)
- b. ☒ Applicant(s) hereby petition the Commissioner under 37 C.F.R. § 1.136(a) and request a **one-month extension of time** to respond to the outstanding Office Action.
- c. ☐ Other \_\_\_\_\_

**3. Fees** (The RCE fee under 37 CFR 1.114(e) is required by 37 CFR 1.114 when the RCE is filed.)

Claims As Filed, Less Any Claims Canceled By above-indicated Amendment(s)

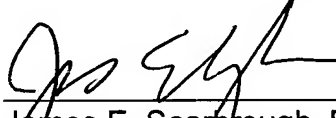
(1) FOR	(2) CLAIMS REMAINING AFTER AMENDMENT LESS HIGHEST NUMBER PREVIOUSLY PAID FOR	(3) NUMBER EXTRA	(4) RATE	(5) CALCULATIONS
TOTAL CLAIMS (37 CFR 1.16(c))	16 - 20	0	x \$25	= \$0.00
INDEPENDENT CLAIMS (37 CFR 1.16(b))	3 - 3=	0	x \$100	= \$0.00
MULTIPLE DEPENDENT CLAIMS (IF APPLICABLE) (37 CFR 1.16(d))		ANY -- 0	x \$180	= \$0.00
APPLICATION SIZE FEE (FOR APPLICATION THAT EXCEEDS 100 SHEETS, FEE FOR EACH GROUP OF 50 ADDITIONAL SHEETS)	0 GROUP(S)		x \$125	= \$0.00
BASIC RCE FEE (37 CFR 1.16(a))				\$395.00
TOTAL SMALL ENTITY FEE =				\$395.00

Payment for the filing of this Request for Continued Examination, any appropriate extension of time fees (and if applicable, the search and examination fees) are authorized to be charged to a Credit Card.

The appropriate PTO form 2038 is enclosed. **If the Credit Card is unable to be charged, please charge any and all fees or credit any overpayment to Deposit Account No. 06-0308.**

Respectfully submitted,  
FAY, SHARPE, FAGAN,  
MINNICH & MCKEE, LLP

11/16/06  
Date

  
James E. Scarbrough, Reg. No. 47,056  
Jonathan A. Withrow, Reg. No. 54,548  
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Cleveland, OH 44114-2579  
216-861-5582

CERTIFICATE OF MAILING OR TRANSMISSION	
I hereby certify that this correspondence (and any item referred to herein as being attached or enclosed) is (are) being	
<input checked="" type="checkbox"/> deposited with the United States Postal Service as First Class Mail, addressed to: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date indicated below.	
<input type="checkbox"/> transmitted to the USPTO by facsimile in accordance with 37 CFR 1.18 on the date indicated below.	
Express Mail Label No.:	Signature: 
Date: November 16, 2006	Name: Kara L. Krist

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